Receipt date: 08/04/2006

105/588 459 1793 AP20 Rec'd PCT/PTO 04 AUG 2006

## IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

International Application No.	:	PCT/EP05/00370
International Filing Date	:	January 15, 2005
Priority Date(s) Claimed	:	February 7, 2004
Applicant(s) (DO/EO/US)	:	Alfred HENNEMANN et al

Title: PARTICLES HAVING A FUNCTIONAL MULTILAYERED STRUCTURE

## INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

## Timing and Fees

$\boxtimes$		37 C.F.R. § 1.97(b), no fee or statement is required for filing this information sure statement is filed:
		within three months of the filing date of a national application other than a CPA under $\S$ 1.53(d);
	$\boxtimes$	within three months of the actual filing date of the national phase of a PCT application; $\ensuremath{OR}$
		before the mailing of a first substantive office action (including after filing of an RCE).
		$37$ C.F.R. $\S$ $1.97(e)$ , this information disclosure statement is filed after the periods ed in $37$ C.F.R. $\S$ $1.97(b)$ , but before the mailing date of:
		a final rejection under 37 C.F.R. 1.113; termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR a notice of allowance under 37 C.F.R. § 1.311; and

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Receipt date: 08/04/2006 is accompanied by: the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p). Under 37 C.F.R. § 1.97(d), this information disclosure statement is filed after the mailing date of the following actions which have not been withdrawn: a final action under 37 C.F.R. § 1.113; termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR a notice of allowance under 37 C.F.R. 8 1.311: AND is filed on or before payment of the issue fee; AND is accompanied by: the statement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of \$180.00 under 37 C.F.R. § 1.17(p). Statements Under 37 C.F.R. 1.97(e) Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement. Cited Materials Copies of materials listed but not attached were cited in benefit (35 U.S.C. § 120) ancestor application Serial No. \_\_\_\_\_, on Form 892 by the Examiner and/or Form 1449 by the applicant; see 37 C.F.R. § 1.98(d). X Copies of materials listed but not attached were cited in an international search

report dated August 10, 2005.

Not required by 37 CFR § 1.98.

Copies of the materials listed are attached (except for the foregoing).

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Non-English Language References
An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).
A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:
<ul> <li>X = document of particular relevance when it is taken alone</li> <li>Y = document of particular relevance when it is combined with another such document</li> <li>A = document defining the general state of the art</li> <li>O = non-written disclosure</li> <li>P = intercalated document</li> <li>T = document cited to understand the theory or principle underlying the invention</li> <li>E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date</li> <li>D = cited in the application</li> <li>L = cited for another reason</li> <li>E = publication of member of same patent family</li> </ul>
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Respectfully submitted,

# 32,004

Anthony J. Zelano, Reg. No. 27,969

Attorney/Agent for Applicants
MILLEN, WHITE, ZELANO
& BRANIGAN, P.C.

Arlington Courthouse Plaza I 2200 Clarendon Blvd. Suite 1400 Arlington, Virginia 22201 Telephone: (703) 243-6333

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Application Number

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			U.S. F	ATENT DOCUMENTS	
Examiner Initials *	Cite No.1	U.S. Patent Docur	ment Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
	A1	6533858	B1	CACACE, Deborah	03-18-2003
	A2	2001056135	A1	KIESER, Manfred	12-27-2001
	A3	2003012954	A1	SCHAUER, Thadeus	01-16-2003
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Foreign Patent Document			Date of Publication of	Pages, Columns, Lines, Where Relevant				
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	B1	wo	0231059	Α	CACACE, Deborah	04-18-1992		A1
	B2	EP	0634459	A	KIESER, Manfred	01-18-1995		A2
	В3	wo	0160926	A	SCHAUER, Thadeus	08-23-2001		А3
	B4	EP	0416395	Α	PRENGEL, Constanze	03-13-1991		B5
	B5	CA	2024486	A1	PRENGEL, Constanze	03-06-1991		
	B6	wo	05056696	Α	ENTENMANN, Marc	06-23-2005		

Examiner Signature	/Pegah Parvini/	Date Considered	05/14/2009	

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